

### **REMARKS**

Upon entry of this Amendment, Applicants have amended claim 1 such that claims 1-5 are pending. Applicants respectfully request allowance of all the pending claims.

Applicants acknowledge and thank the Examiner for indicating that claims 3-5 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### **Claim Rejection – 35 U.S.C. § 102(b)**

The Examiner has rejected claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by United Kingdom Patent No. GB 110,378 ("Marks").

Independent claim 1 recites a modular refrigeration unit for use in an accessible compartment of a cooler. The accessible compartment includes a first portion in communication with a display cabinet of the cooler and a second portion in communication with an environment adjacent the cooler. The modular refrigeration unit includes a wire-frame support removably positioned within the accessible compartment, and a dividing wall mounted to the wire-frame support. The divider wall is positioned between the first and second portions. The modular refrigeration unit also includes a condenser assembly that is mounted to the wire-frame support on one side of the dividing wall and that is positioned within the second portion of the accessible compartment. The modular refrigeration unit further includes an evaporator assembly that is mounted to the opposite side of the dividing wall and that is positioned within the first portion of the accessible compartment.

Marks discloses a refrigerator 10 that includes a top wall 311 for supporting a base 30. A compressor 13 and a condenser coil 20 are mounted to the base 30. The condenser coil 20 has vertically spaced, horizontal loops 320 that surround the compressor 13 to form a cage. An expansion coil 12 is mounted below the base 30.

Marks does not teach or suggest, among other things, a modular refrigeration unit including a wire-frame support that is removably positioned within an accessible compartment of a cooler. Contrary to the Examiner's contention, the vertically spaced, horizontal loops of the condenser coil are not a wire-frame support as claimed by Applicants. *See Office Action Dated March 12, 2009, Page 2.* Rather, the condenser coils of Marks are positioned on an exterior top wall of the refrigerator and are not removably positioned in an accessible

compartment of the refrigerator. Unlike Applicants claimed invention and as conceded by the Examiner, the condenser coils of Marks merely define a cage that surrounds the compressor and the fan. The condenser coils of Marks are not a wire-frame support that is removably positioned in an accessible compartment of the refrigerator and are not mounted to a wire-frame support as claimed by Applicants.

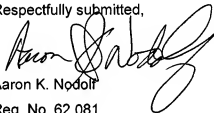
In view of the foregoing, Marks does not teach or suggest each and every limitation of independent claim 1. As such, Applicants respectfully submit that claim 1 is allowable. Claims 2-5 depend from claim 1 and are also allowable for these and other reasons.

### **Conclusion**

Applicants respectfully request withdrawal of the rejection and allowance of the pending claims 1-5.

The undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,



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